

FEDERAL COMMUNICATIONS COMMISSION
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January 10, 2013

Kenneth E. Satten, Esq.
Wilkinson Barker Knauer, LLP
2300 N Street, N.W.
Suite 700
Washington, DC 20037

Re: Bonneville International Corporation
KTAR(AM), Phoenix, Arizona
Facility Identification Number:52515
Special Temporary Authority

Dear Counsel:

This is in reference to the request filed January 8, 2013, on behalf of Bonneville International Corporation ("BIC"). BIC requests special temporary authority ("STA") to operate Station KTAR(AM) with nighttime facilities that vary from its license.¹

In support of the request, BIC states that during the repair of a damaged fire hydrant, the transmission and sample lines for the KTAR(AM) #2 tower were cut. Therefore, the station is unable to operate at its licensed nighttime power. BIC requests STA for nighttime operation using the station's licensed daytime nondirectional operating facilities, and operating at 25% of the station's licensed nighttime power.

Section 73.1680 of the Commission's rules provide for operation with emergency antenna facilities following damage to authorized antenna systems, provided that an informal request for continued used of an emergency antenna is filled with the Commission within 24 hours. In particular, Section 73.1680(b)(1) provides that AM stations using an emergency nondirectional antenna in lieu of authorized directional facilities shall operate with power reduced to 25 percent or less of the nominal license power, or a higher power, not exceeding licensed power, while insuring that the radiated field strength does not exceed that authorized in any given azimuth.

Accordingly, the request for STA IS HEREBY GRANTED. Station KTAR(AM) may operate with a temporary nondirectional antenna and reduced power not to exceed 1.25 kilowatts nighttime. It will be necessary to further reduce power or cease operation if complaints of interference are received. BIC must notify the Commission when licensed operation is restored.² BIC must use whatever means are necessary to protect workers and the public from exposure to

¹ KTAR(AM) is licensed for operation on 620 kHz with a daytime nondirectional power of 5 kilowatts and a nighttime directional power of 5 kilowatts (DAN-U).

² See 47 CFR §§ 73.45(c), 73.51, 73.61(b).

radio frequency radiation in excess of the Commission's exposure guidelines. *See* 47 CFR § 1.1310.

This authority expires on **July 10, 2013**.

STA Advisory: Section 309(f) of the Communications Act of 1934, as amended, authorizes the Commission to grant STA in cases of "extraordinary circumstances requiring temporary authorizations in the public interest and when delay in the institution of the temporary operations would seriously prejudice the public interest." However, Section 309(f) is not a means by which a licensee/permittee may circumvent established processing procedures which require the filing of an application, nor is it a means by which a broadcaster may enhance his facility or make operation more convenient for the broadcaster. Stations operating with less than licensed facilities under temporary authorities can be viewed as receiving the benefit of a larger protection area than that in which they are currently providing service.

Accordingly, Special Temporary Authorities by nature are to be temporary and are not intended for extended use. Licensees of stations operating under temporary authorities are reminded that timely restoration of permanent facilities is the responsibility of the licensee and should be undertaken expeditiously. Any request for extension of special temporary authorities carries an increased burden with each subsequent request.

Therefore, requests for extension of STA will be granted only where the licensee can show that one or more of the following criteria have been met:

- Restoration of licensed facilities is complete and testing is underway;
- Substantial progress has been made during the most recent STA period toward restoration of licensed operation; or
- No progress has been made during the most recent STA period for reasons clearly beyond the licensee's control, and the licensee has taken all possible steps to expeditiously resolve the problem.

Sincerely,



Jerome J. Manarchuck
Audio Division
Media Bureau

cc: Bonneville International Corporation